

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

GHISLAINE PIERRE,

Plaintiff,

v.

PLANET AUTOMOTIVE, INC., d/b/a
KG SUZUKI and AMERICAN SUZUKI
FINANCIAL SERVICES,

Defendants.

**DECLARATION OF DANIEL A.
SCHLANGER, ESQ. IN
OPPOSITION TO DEFENDANT
ASFS' MOTION FOR SUMMARY
JUDGMENT UNDER RULE 56.**

Index No.: 13-cv-675

Hon. Margo K. Brodie
Hon. James Orenstein

DANIEL A. SCHLANGER, Esq. an attorney duly licensed to practice law in the State of New York,
does hereby declare pursuant to 28 U.S.C. § 1746 that the following facts are truthful:

1. I am a member of Schlanger & Schlanger, LLP, counsel for Plaintiff in the above referenced matter and, as such, am familiar with the facts and documents relevant to this dispute.
2. I make this Declaration in Support of Plaintiff's Opposition to Defendant American Suzuki Financial Services' (ASFS) Motion for Summary Judgment under Fed. R. Civ. P. 56.
3. Specifically, I submit this Declaration for placing before the Court the following Exhibits referenced in the adjoining Statement Pursuant to Local Rule 56.1(b) and Memorandum of Law in Opposition to the Motion:
 - a. Exhibit A: Sales Invoice for the subject vehicle.
 - b. Exhibit B: Retail Installment Contract, dated May 5, 2012.
 - c. Exhibit C: Manufacturer's Invoice for the Subject Vehicle.
 - d. Exhibit D: ASFS Preferred Application Status Report.
 - e. Exhibit E: Theft Deterrent Product Protection Certificate, dated May 5, 2012.
 - f. Exhibit F: GWC Warranty Service Contract Application, dated May 5, 2012.

- g. Exhibit G: Plaintiffs First Request for Production of Documents dated June 24, 2013.
- h. Exhibit H: New York City Department of Consumer Affairs, Amended Notice of Hearing, dated August 14, 2013

- 4. Exhibits A-F, and Exhibit H were produced by Defendants in discovery in this case.
- 5. The legal arguments relevant to this opposition, setting forth the reasons that ASFS' motion should be denied in its entirety, have been set out in Plaintiff's Memorandum of Law in opposition to the instant motion.
- 6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 21, 2014

Respectfully Submitted,

Daniel A. Schlanger
Daniel A. Schlanger, Esq.
Schlanger & Schlanger, LLP
343 Manville Road
Pleasantville, NY 10570
Ph: 914-946-1981, ext. 101
Fax: 914-946-2930
daniel.schlanger@schlangerlegal.com